



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Hunnicutt, Rachel Kapust
)
Kevin P. BAKER, et al.) Art Unit: 1647
)
Application Serial No.: 10/006,485) Confirmation No.: 3503
)
Filed: December 6, 2001) Attorney's Docket No.: 39780-2830 P1C9
)
For: **SECRETED AND**) Customer No. 35489
TRANSMEMBRANE)
POLYPEPTIDES AND NUCLEIC)
ACIDS ENCODING THE SAME)

EXPRESS MAIL LABEL NO. EL 977 608 914 US

DATE MAILED: OCTOBER 5, 2004

AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In the above identified application, a Notice of Allowance was mailed on September 13, 2004, but an issue fee has not bee paid. Having reviewed the allowed claims, Applicants have found that as a result of claim amendments made during prosecution, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present application. Accordingly, please delete the names of the following inventors, who have not made an inventive contribution to the currently claimed subject matter:

Kevin P. Baker	David Botstein
Dan L. Eaton	Napoleone Ferrara
Sherman Fong	Wei-Qiang Gao
J. Christopher Grimaldi	Kenneth J. Hillan
James Pan	Nicholas F. Paoni
Margaret Ann Roy	Victoria Smith
Timothy A. Stewart	Daniel Tumas
P. Mickey Williams	

Upon entering the present amendment, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney, Colin K. Watanabe and William I. Wood remain named inventors in this case.

Please charge the fee of \$130.00 and/or any fees that might become applicable, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641, referencing Attorney's Docket No. 39780-2830 P1C9. Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: October 5, 2004
By: 
Anna L. Barry (Reg. No. ~~51,436~~)

HELLER EHRMAN WHITE & McAULIFFE LLP
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

SV 2067314 v1
10/5/04 3:39 PM (39780.2830)



10-07-04

B#

PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **130.00**

Complete if Known

Application Number	10/006,485
Filing Date	DECEMBER 6, 2001
First Named Inventor	KEVIN P. BAKER
Examiner Name	HUNNICKUTT, RACHEL KAPUST
Art Unit	1647
Attorney Docket No.	39780-2830 P1C9

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name
08-1641 (39780-2830 P1C9)
HELLER EHRMAN WHITE & McAULIFFE LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

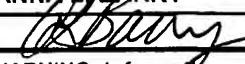
Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685*	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	130.00

(Complete if applicable)

Name (Print/Type)	ANNA L. BARRY	Registration No. (Attorney/Agent)	51,436	Telephone (650) 324-7000
Signature		Date	OCTOBER 5, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Please type a plus sign (+) inside this box

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Oct 06 2004
U.S. PATENT AND TRADEMARK OFFICE
RECEIVED

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/006,485
		Filing Date	DECEMBER 6, 2001
		First Named Inventor	KEVIN P. BAKER
		Group/Art Unit	1647
		Examiner Name	HUNNICUTT, RACHEL KAPUST
Total Number of Pages in This Submission	4	Attorney Docket Number	39780-2830 P1C9

ENCLOSURES (check all that apply)

FEE TRANSMITTAL FORM

Fee Attached

Amendment / Response

After Final

Version With Markings Showing Changes

Affidavits/declaration(s)

Extension of Time Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Copy of Notice

Copy of an Assignment

Drawing(s)

Licensing-related Papers

Petition Routing Slip (PTO/SB/69) and Accompanying Petition

Petition to Convert to a Provisional Application

Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers

Terminal Disclaimer

Small Entity Statement

AMENDMENT UNDER 37 C.F.R. §1.48(b) AND 37 C.F.R. §1.312

Remarks

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

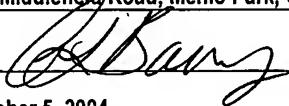
Status Letter

**ADDITIONAL ENCLOSURE(S)
(PLEASE IDENTIFY BELOW):**

STAMPED RETURN POSTCARD

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 P1C9.

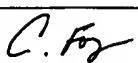
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRLMAN WHITE & McAULIFFE LLP 275 Middlefield Road, Menlo Park, California 94025		
Signature			
Date	October 5, 2004	Customer Number:	35489

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: October 5, 2004

Express Mail Label EL 977 608 914 US

Typed or printed name	C. FONG		
Signature		Date	October 5, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.